

COPY

Docket No. _____

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WAFER PROCESSING APPARATUS AND METHOD, WAFER CONVEY ROBOT, SEMICONDUCTOR SUBSTRATE FABRICATION METHOD, AND SEMICONDUCTOR FABRICATION APPARATUS, the specification of which

a. ☒ is attached hereto

b. ☐ was filed on _____ as application No. _____ and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

☒ I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ The attached 35 U.S.C. § 119 claim for priority for the U.S. application(s) listed below forms a part of this declaration.

| Country | Application Number | Date of filing (day, month, yr) | Date of issue (day, month, yr) | Priority Claimed |
|---------|--------------------|---------------------------------|--------------------------------|---|
| JAPAN | 9-021796 | 4, 2, 1997 | | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| JAPAN | 9-030887 | 14, 2, 1997 | | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

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ADDITIONAL STATEMENTS FOR
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below.

| Application Serial No. | Filing Date | Status (patented, pending, abandoned) |
|------------------------|-------------|--|
|------------------------|-------------|--|

| Application Serial No. | Filing Date | Status (patented, pending, abandoned) |
|------------------------|-------------|--|
|------------------------|-------------|--|

☐ In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: Jerome G. Lee (Reg. No. 16,967), John D. Foley (Reg. No. 16,836), John A. Diaz (Reg. No. 19,550), Thomas P. Dowling (Reg. No. 19,221), John C. Vassil (Reg. No. 19,098), Warren H. Rotert (Reg. No. 19,659), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595) and Christopher E. Chalsen (Reg. No. 30,936) of Morgan & Finnegan whose address is: 345 Park Avenue, New York, New York 10154.

☐ I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from

_____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and /or agents named hereinabove.

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I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO:

MORGAN & FINNEGAN, 345 Park Avenue, New York, New York 10154
DIRECT TELEPHONE CALLS TO: _____
(212) 758-4800

Full name of sole or first inventor _____ Kazutaka YANAGITA

Inventor's signature* _____ kazutaka Yanagita
date January 26, 1998

Residence 8-8-302, Mori 1-chome, Isogo-ku,
Yokohama-shi, Kanagawa-ken, Japan

Citizenship Japan

c/o Canon Kabushiki Kaisha
Post Office Address 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo, Japan

Full name of second joint inventor, if any _____ Kiyofumi SAKAGUCHI

Inventor's signature* _____ Kiyofumi Sakaguchi
date January 26, 1998

Residence 19-2-504, Edahigashi 2-chome, Tsuzuki-ku,
Yokohama-shi, Kanagawa-ken, Japan

Citizenship Japan

c/o Canon Kabushiki Kaisha
Post Office Address 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo, Japan

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered. To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty of disclosure....

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

* * * *

c) Any application may be stricken from the files if:

- (1) An oath or declaration ... is signed in blank;
- (2) An oath or declaration ... is signed without review thereof by the person making the oath or declaration;
- (3) an oath or declaration ... is signed without review of the specification, including the claims ...;

or

- (4) The application papers filed in the Office are altered after the signing of an oath or declaration ... referring to those application papers.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an inventor filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same inventor in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code, § 120

Benefit of earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

* * * *

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan

ASSIGNMENT OF PATENT RIGHTS FOR THE UNITED STATES

FOR VALUE RECEIVED, We,
Kazutaka YANAGITA and Kiyofumi SAKAGUCHI
citizens of Japan
residing respectively at
8-8-302, Mori 1-chome, Isogo-ku,
Yokohama-shi, Kanagawa-ken, Japan; and
19-2-504, Edahigashi 2-chome, Tsuzuki-ku,
Yokohama-shi, Kanagawa-ken, Japan
hereby sell, assign, transfer and convey unto Canon Kabushiki Kaisha
a corporation of Japan
having a place of business at
30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo, Japan
its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title
and interest, for the United States, in and to certain inventions relating to
WAFER PROCESSING APPARATUS AND METHOD, WAFER CONVEY
ROBOT, SEMICONDUCTOR SUBSTRATE FABRICATION METHOD, AND
SEMICONDUCTOR FABRICATION APPARATUS
and described in an application for Letters Patent of the United States executed by each of us, respectively,
on the date indicated below and in and to said application, and all divisions, renewals and continuations
thereof, and all Letters Patent of the United States which may be granted, thereon, and all reissues and
extensions thereof; and we hereby authorize and request the Commissioner for Patents and Trademarks of
the United States to issue all Letters Patent upon said inventions to the Assignee or to such nominees as
it may designate.

AND we authorize and empower the said Assignee or nominees to invoke and claim for any
application for patent or other form of protection for said inventions, the benefit of the right of priority
provided by the International Convention for the Protection of Industrial Property, as amended, or by any
convention which may henceforth be substituted for it, and to invoke and claim such right of priority
without further written or oral authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full legal and formal
equivalent of any assignment, consent to file or like document which may be required in the United States
for any purpose and more particularly in proof of the right of said Assignee or nominees to claim the
aforesaid benefit of the right of priority provided by the International Convention for the Protection of
Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

AND we hereby covenant that we have the full right to convey the entire right, title and interest herein assigned and that we have not executed and will not execute any agreement in conflict herewith.

AND we hereby covenant and agree that we will communicate to said Assignee or nominees all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominees in obtaining, maintaining and enforcing all lawful patent protection for said inventions in the United States.

By: kazutaka Yanagita Date: January 26, 1998
Kazutaka YANAGITA

By: Kiyofumi Sakaguchi Date: January 26, 1998
Kiyofumi SAKAGUCHI